

Remarks

The Office Action fails to support the prior art rejections by presenting any sort of alignment between the claimed limitations and the cited references. Such a failure is contrary to the spirit of 35 U.S.C. § 132. For the further reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The non-final Office Action dated February 1, 2006, indicated that the Specification is objected to for an informality; claims 1-12 stand rejected under 35 U.S.C. § 112(2); claims 1-4, 6-9 and 12 stand rejected under 35 U.S.C. § 102(b) over Binks (U.S. Patent No. 4,320,699); claims 1-9 and 12 stand rejected under § 102(b) over Leiros (U.S. Patent No. 4,995,312); and claims 1-4, 6-9 and 12 stand rejected under 35 U.S.C. § 102(b) over Simon (U.S. Patent No. 5,396,832); and claims 10 and 11 stand rejected under 35 U.S.C. § 103(a) over Binks.

Regarding the suggested guidelines for the Specification set forth in 37 C.F.R. § 1.77(b), Applicant appreciates the Office Action's suggestion to add section headings to the Specification but respectfully declines the invitation. As noted in the Office Action and also in MPEP § 608.01(a) the suggested section headings are merely preferred and not required. To maintain consistency with the parent application, section headings have not been added.

Applicant has briefly reviewed the Specification for consistency with the drawings and has accordingly corrected the use of reference numeral 8 at page 4 to refer to reference numerals 38 and 68 to be consistent with Figs. 3 and 4.

With respect to the objection to the Specification, Applicant has amended page 1 of the Specification to remove the references to claims 1 and 12. Applicant accordingly requests that the objection be removed.

Applicant has also amended the Specification at pages 2 and 3 to address typographical and grammatical errors.

With respect to the Section 112(2) rejection, Applicant has amended claim 1 to more explicitly indicate that the pan is located in a cooking environment. As this was already implicit in the claim language in view of the Specification and subject matter of the claim, the amendment does not introduce new matter. As also indicated in the Specification at page 2, such a cooking environment may include multiple people or

cooks. As the amendment provides proper antecedent basis for the language “the environment,” Applicant submits that the rejection has been overcome and requests that it be removed.

Applicant has also amended independent claim 1 to further characterize the structure and location of the claimed collar. The amendments describe that which is already shown in Figs. 1-4 and therefore do not introduce new matter. Each of the claims is believed to be allowable over the cited references for the reasons discussed below.

Applicant respectfully traverses the Section 102(b) and Section 103(a) rejections based on the ‘699 reference because the Office Action fails to present a reference that corresponds to each of the claimed limitations. The ‘699 reference fails to teach several of the claimed limitations such as “a detachable collar extending closely along and at least up to the topmost end,” and “a flange projecting outwardly from the topmost end and projecting downward closely along a preponderance of the exterior wall surface” from independent claim 1. Without a presentation of correspondence to each of the claimed limitations, the rejections are improper and Applicant requests that they be withdrawn.

Applicant respectfully traverses the Section 102(b) rejection based on the ‘312 reference because the Office Action fails to present a reference that corresponds to each of the claimed limitations. More specifically, the ‘312 reference does not teach a detachable collar that extends closely along and at least up to the topmost end of the pan and a collar including a flange projecting outwardly from the topmost end and projecting downward closely along a preponderance of the exterior wall surface, as claimed in claim 1. The ‘312 reference instead discloses a ring 5 in Fig. 2 that attaches to the edge of a plastic skirt 3 and is overlapped by the top edge of a pan 1c and 16. Thus, the ring 5 fails to correspond to the claimed collar with respect to at least extending closely along and at least up to the topmost end of the pan. Without a presentation of correspondence to each of the claimed limitations, the Section 102(b) rejection is improper and Applicant requests that it be withdrawn.

Applicant respectfully traverses the Section 102(b) rejection based on the ‘832 reference because the Office Action fails to present a reference that corresponds to each of the claimed limitations. The ‘832 reference fails to teach a collar extending closely

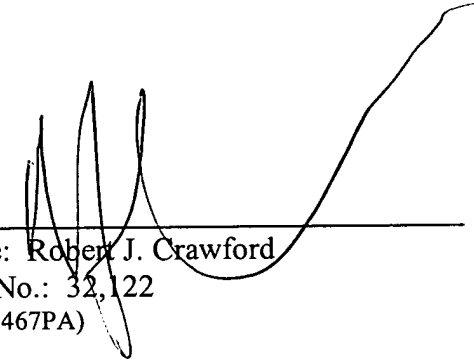
along and at least up to the topmost end of a pan and substantially around its periphery. The protective cover 51 as shown, for example, in Fig. 1 is directed to protecting the control panel of a fryer and attaches to a front portion of a fryer cabinet. Applicant fails to recognize how the '832 protective cover 51 would extend substantially around a pan's periphery. Without a presentation of correspondence to each of the claimed limitations, the Section 102(b) rejection is improper and Applicant requests that it be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the attorney overseeing the application file, Adam Stroud, of Philips Corporation at (408) 474-9064.

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